

REMARKS

This Request for Reconsideration is submitted in response to an outstanding Office Action dated August 11, 2005, the shortened **one month** statutory period for response set to expire on September 11, 2005. Accordingly, no Extension of time is believed necessary. In the event that the Commissioner determines an extension of time or fee is due, applicants hereby petition for such extension of time, and authorize the Commissioner to charge any required fee to the Milbank deposit account number 13-3250.

I. Status of the Claims

Please cancel claims 31-48 without prejudice, and add new claims 49-56 as provided above. Claims 49-56 are now pending in the application. Claims 49, 55, and 56 are independent claims.

New claims 49-56 correspond respectively to previous claims 1, 2, 3, 4, 6, 7, 25, and 28. To assist the examiner, the amendments to earlier claims 1, 25 and 28 as reflected in new claims 49, 55 and 56 are provided below:

1. A communication system capable of outputting data selected by an information processing device on a user side from data to be supplied from an information processing device on a supplier side, comprising:

an output device including first connection means for connecting to an information processing device on a user side, second connection means for connecting to an information processing device on a supplier side, request reception means for receiving a request from said information processing device on the user side via said first connection means, data reception means for receiving data according to said request received by said request reception

means from said information processing device on the supplier side via said second connection means and output means for outputting the data received by said data reception means; and

said information processing device on a supplier side including determination means for determining whether a type of the output device ~~to receive the data~~ which transmits a data request by data request transmission means is a type that can prevent illegal data receiving by a user, and a controller for controlling the transmission of the data to said output device in accordance with ~~response to~~ the determination by said determination means.

25. A control method for controlling an information processing device on a supplier side that supplies data, comprising:

a determination step for determining whether a type of a output device requesting, by data request transmission means, the transmission of data selected by an information processing device on the user side based on product data including information on the data selected by said information processing device on the user side is a type that can prevent illegal data receiving by a user; and

a control step for controlling the transmission of the data to said output device in accordance with ~~response to~~ the determination in said determination step;

wherein said output device includes first connection means for connecting to the information processing device on a user side, second connection means for connecting to the information processing device on a supplier side, request reception means for receiving a request from said information processing device on the user side via said first connection means, data reception means for receiving data according to said request received by said request reception means from said information processing device on the supplier side via said second connection

means and output means for outputting the data received by said data reception means.

28. A storage medium that has stored a program for controlling an information processing device on a supplier side that supplies data, said program comprising:

a step for connecting an output device to the information processing device on a user side, a step for connecting the output device to the information processing device on a supplier side, a step for receiving a request from said information processing device on the user side, a step for receiving data according to said request from said information processing device on the supplier side and a step for outputting the data received by said data reception means;

a determination step for determining whether the type of the output device requesting, by data request transmission means, the transmission of the data selected by said information processing device on the user side based on the product data including information on the data selected by said information processing device on the user side is a type that can prevent illegal data receiving by a user; and

a control step for controlling the transmission of the data to said output device in accordance with response to the determination in said determination step.

Applicants acknowledge the Examiner's citation of statutory authority as a basis for claim rejections.

II. Office Action Summary

In an Office Action mailed February 17, 2004, the Examiner rejected claims 1-30 under 35 U.S.C. § 103 as unpatentable over *Chihara* in view of *Machine Design*.

Following Applicants amendment and response, the Examiner mailed an Advisory

Action on April 25, 2005, stating that the amendment did not place the application in condition for allowance because: “[t]he combination of Chihara and Machine Design teach or suggest network printers, user-side printers, Internet or web enabled printers, and combinations thereof to produce a [first] connection means and second connection means. The Examiner firmly believes that one of ordinary skill in the art would ascertain combinations of interface connections integratable into a single printer with the combination of prior art cited. Though not relied upon, moving from network-attached printers to Internet/web-enabled printers from a business method perspective does not require a non-obvious leap given the plethora of evidence of the world migrating from networks to the Internet, intranets (private Internet), and extranets.”

Applicants filed a Request for Continued Examination with an amendment and response on May 17, 2005, which cancelled pending claims 1-30, and presented new claims 31-48. In an Office Action mailed August 11, 2005, the Examiner states “[t]he amendment filed on 17 May 2005 canceling all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP §821.03). The remaining claims are not readable on the elected invention because Applicant is claiming discriminating means to prevent a user from obtaining data illegally.”

Applicants respond as follows:

Claims 31-48 are cancelled without prejudice and new claims 49-56 are presented. Claims 49-56 correspond respectively to previous claims 1, 2, 3, 4, 6, 7, 25, and 28. New claims 49, 55 and 56 recite a communication system that includes an information processing device on a user side, an information processing device on a supplier side and an output device (e.g., a printer), is arranged so that the information processing device on the supplier side determines whether a type of the output device which transmitted a data request by data request transmission

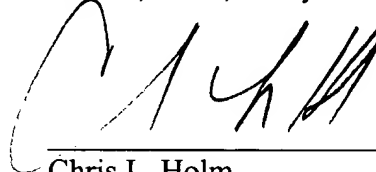
means is a type that can prevent illegal data receiving by a user, and controls data transmission to the output device in accordance with a determination result. Applicants respectfully submit that this feature of the present invention is not taught or suggested from the cited references of *Chihara* and *Machine Design*, originally cited in the November 17, 2004 Office Action. *Machine Design* merely discloses to transmit a print job to a printer device connected to the Internet, which as previously discussed, fails to teach or suggest the above-described features of the present invention.

Accordingly, applicant submits that neither *Chihara* nor *Machine Design* individually or in combination disclose or suggest the presently claimed inventions, and withdrawal of the rejections is requested.

III. Request for Reconsideration

Applicants respectfully submit that the claims of this application are in condition for allowance. Accordingly, reconsideration of the rejection and allowance is requested. If a conference would assist in placing this application in better condition for allowance, the undersigned would appreciate a telephone call at the number indicated.

Respectfully submitted,
Milbank, Tweed, Hadley & McCloy LLP



Chris L. Holm
Reg. No.: 39,227

September 6, 2005

Milbank Tweed Hadley & McCloy LLP
1 Chase Manhattan Plaza
New York, NY 10005
(212) 530-5000 / (212) 530-5219 (facsimile)